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PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*To Sam  
5/20/93  
DK*

*DL to enter  
PCOA  
5-25-93*

In re Application of ) Group Art Unit: 1804  
COMAI, ET AL. ) Examiner: P. MOODY  
Serial No.: 07/985,742 )  
Filed: December 4, 1992 ) RESPONSE 37 CFR 1.116  
For: FIGWORT PLANT )  
PROMOTER AND USES )  
\_\_\_\_\_  
)

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Final Office Action issued  
March 4, 1993, Applicants provide the following  
Amendments and remarks.

IN THE CLAIMS

*20.* (Amended.) A recombinant DNA construct  
capable of transcription in a plant cell comprising  
in the 5' to 3' direction of transcription as  
operably joined components, a figwort mosaic virus  
34S promoters, and a DNA sequence of interest  
heterologous to said promoter and a transcript  
termination region functional in a plant cell.

*22.* (Amended.) The recombinant DNA construct  
of Claim 21 20 wherein said transcript termination  
region is from the 3' [untranslated end] flanking  
region of the mannopine synthase gene.

*3 23.* (Amended.) The recombinant DNA construct  
of Claim 21 20 wherein said figwort mosaic virus 34S  
promoter comprises a TATA box having the sequence  
TATTTAA.

*DN*